

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE ALAN HOWARD,

Petitioner,

CASE NO. 08-10222

v.

MILLICENT WARREN,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Respondent.

**ORDER DIRECTING RESPONDENT TO FILE AN ANSWER
TO PETITIONER'S MOTION FOR RELIEF FROM JUDGMENT**

Pending before the Court is petitioner Bruce Alan Howard's motion for relief from the Court's judgment dismissing his habeas corpus petition as barred by the one-year statute of limitations. Petitioner purports to have proof that he filed a post-conviction motion in the trial court on March 23, 1998. He maintains that the Court erred in concluding that there was no activity in his case from March 28, 1997, until April 7, 2003.

Respondent is **ORDERED** to file an answer to Petitioner's motion within **twenty-eight (28) days** from the date of this order. If Respondent agrees with Petitioner that his claims are not time-barred and that he is entitled to relief from the Court's judgment, Respondent also shall file within twenty-eight days of this order an answer to the habeas petition and portions of the state court record that are needed to adjudicate the issues.

S/Paul D. Borman

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: April 12, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on April 12, 2010.

S/Denise Goodine

Case Manager